

## Staff Summary Report

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**Council Meeting Date:** 07/17/03

**Agenda Item Number:** 14

**SUBJECT:** Request by Broadway Place for a Final Subdivision Plat for one lot located at 2402 South Rural Road.

**DOCUMENT NAME:** 20030717dsht02 **PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Request by **BROADWAY PLACE** (Dr. Edgar Hernandez, property owner) #SBD-2003.58 for a Final Subdivision Plat consisting of one lot on 0.55 net acres, located at 2402 South Rural Road.

**PREPARED BY:** Hector Tapia, Senior Planner (480-350-8586)

**REVIEWED BY:** Steve Venker, Planning & Zoning Manager (480-350-8920)

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Approval  
Planning Commission - Approval

**ADDITIONAL INFO:** The applicant's intention is to combine two existing parcels into one new lot. An office building will be located within the new lot. The proposed lot appears to meet the minimum requirements of Subdivision Ordinance 99.21. Public input is not required.

**ATTACHMENTS:** 1. List of Attachments  
2. Comments / Reason for Approval / Conditions of Approval  
2. History & Facts / Description

- A. Location Map
- B. Letter of Authorization
- C. Preliminary and Final Subdivision Plat
- D. Aerial Photo

**COMMENTS:** The applicant's intention is to combine two existing parcels into one new lot. An office building will be located within the new lot. The proposed lot appears to meet the minimum requirements of Subdivision Ordinance 99.21. Staff supports this request subject to conditions and public input is not required.

**REASON(S) FOR**

**APPROVAL:** 1. The Subdivision Plat appears to conform to current technical standards and requirements of Subdivision Ordinances 99.21.

**CONDITION(S)  
OF APPROVAL:**

1. No variances may be created by future property lines without the prior approval of the City of Tempe.
2. The Final Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department **on or before July 17, 2004**. Failure to record the plan within one year of Council approval shall make the plan null and void.

**HISTORY & FACTS:**

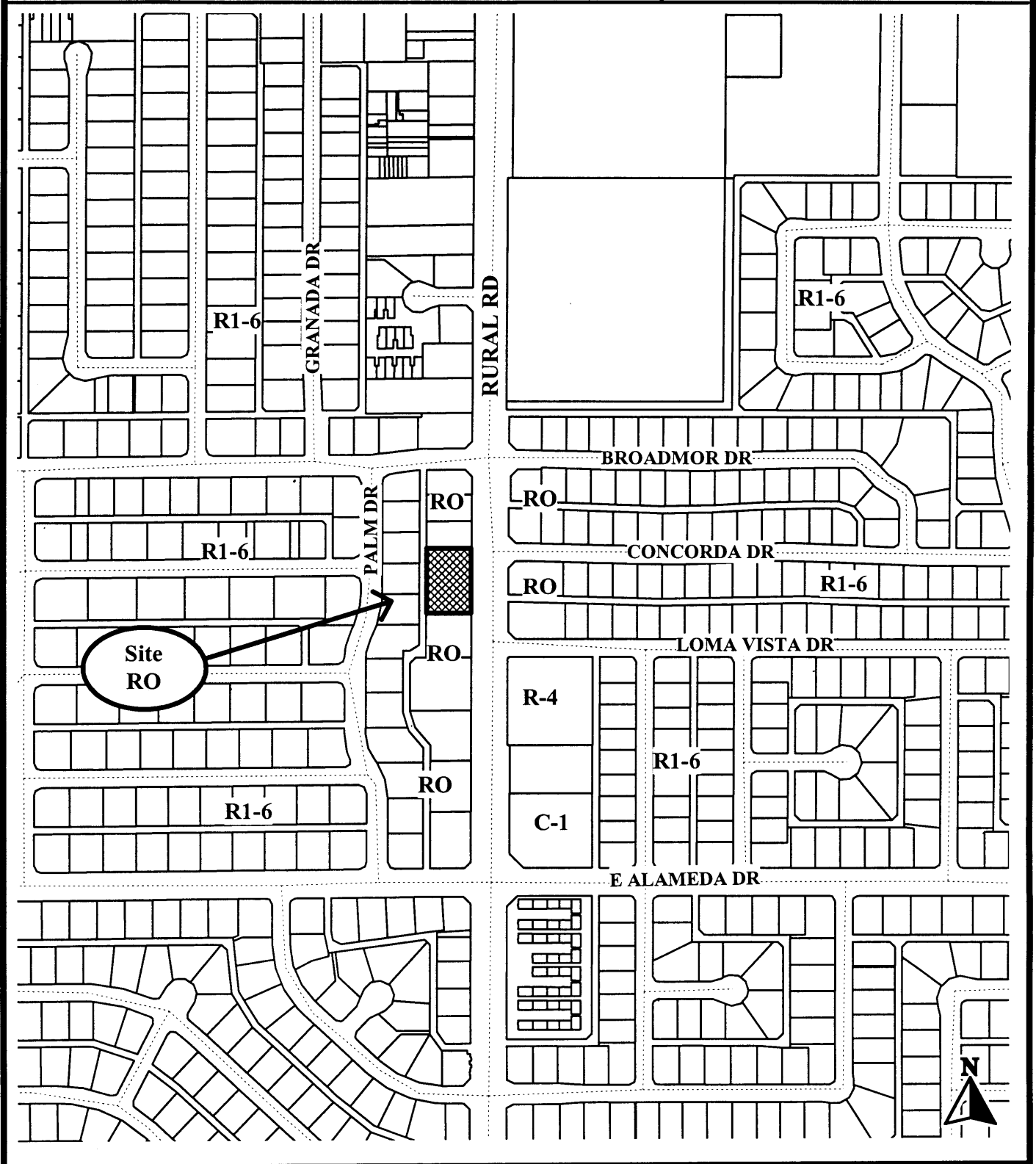
June 2, 2003.

City Council approved a zoning change from R1-6, Single Family Residential to RO, Residential Office on 0.55 gross acres, a Site Plan consisting of 10,995 s.f. of general office space.

July 8, 2003.

Planning Commission approved the Preliminary and Final Subdivision Plat consisting of one lot for Broadway Place Offices.

**DESCRIPTION:** Owner – Dr. Edgar Hernandez  
Applicant – Ramin Bledsoe, Gerald Deines Architects  
Engineer – AEC Consultants, Inc.  
Existing zoning – RO  
Total site area – 0.5 net acres  
Number of lots proposed – 1 lots

**BROADWAY PLACE****SBD-2003.58**

Request

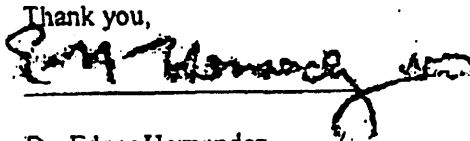
**A**

March 25, 2003

To Whom It May Concern:

I, Dr. Edgar Hernandez, give permission to Gerald Deines, Architect and his employees to submit plans and documents for the purposes of obtaining a building permit for the properties that I own. This includes, but is not limited to, Site Plan, Zoning, Final Subdivision, Design Review, and Construction Document submittal.

Thank you,



Dr. Edgar Hernandez  
Tempe St. Lukes Medical Center  
1492 S. Mill Avenue, Suite 310  
Tempe, AZ 85281

B

# Legal Description

LEGAL DESCRIPTION (023340423)  
THE NORTH 75 FEET OF THE SOUTH 1/4 OF THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, T1N, R4E, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT WHICH IS 785 FEET NORTH AND 33 FEET WEST OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 150 FEET;  
THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 385 FEET, MORE OR LESS, TO A POINT 150 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27;  
THENCE EAST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 150 FEET;  
THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 385 FEET, MORE OR LESS, TO A POINT 150 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27;  
THENCE EAST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 150 FEET;  
THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 385 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.  
EXCEPT THE EAST 22 FEET THEREOF.

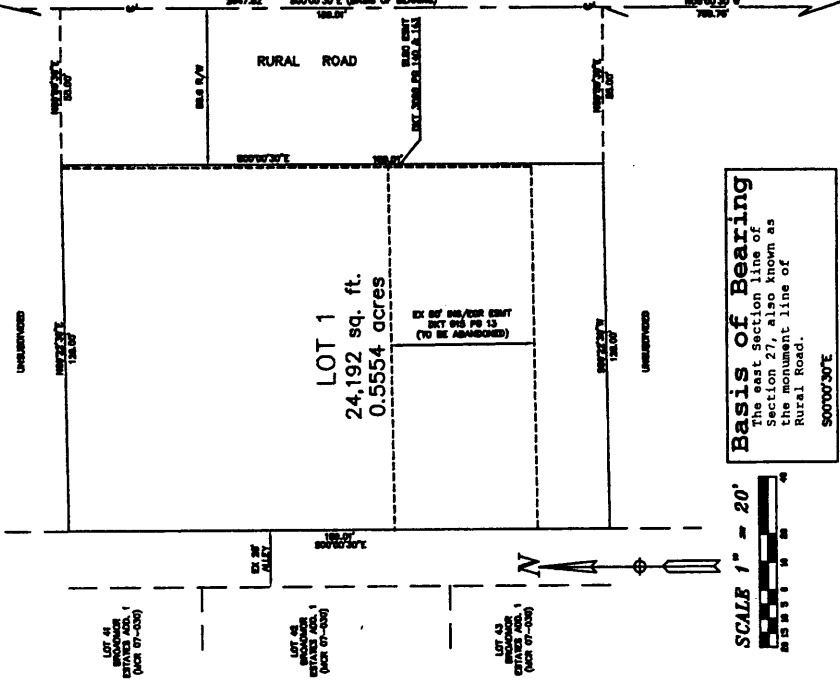
LEGAL DESCRIPTION (023340423)  
THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 27, T1N, R4E, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT WHICH IS 785 FEET NORTH AND 33 FEET WEST OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 150 FEET;  
THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 385 FEET, MORE OR LESS, TO A POINT 150 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27;  
THENCE EAST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 150 FEET;  
THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 385 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.  
EXCEPT THE EAST 22 FEET THEREOF.

PANEL TWO  
THE SOUTH 80 FEET OF THE FOLLOWING DESCRIBED PROPERTY:  
THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTH QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GLA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT WHICH IS 785 FEET NORTH AND 33 FEET WEST OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 150 FEET;  
THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 385 FEET, MORE OR LESS, TO A POINT 150 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27;  
THENCE EAST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 150 FEET;  
THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 385 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.  
EXCEPT THE EAST TWENTY-TWO FEET THEREOF.

**Benchmark**  
ALAMEDA & COLLEGE  
ELEV. 1169.68  
**Owner**  
EDGAR HERNANDEZ  
C/O SALT RIVER RD.  
TEMPE, AZ.

## NOTES

- All new or relocated utilities will be placed underground.
- No structure of any kind shall be constructed on, over, or placed within the public utilities except paving nor any planting except grass. It shall be further understood that the City of Tempe shall not be required to replace any obstructions or planting that must be removed during the construction of the project.
- The project is located within the City of Tempe water service area and has been designated as having an assured water supply.
- Structure and landscaping within a triangle measuring 33'x33' along the property lines will be maintained at a minimum height of 5'.



## Certification

I, Brent E. Allen, hereby certify that I am a Registered Land Surveyor in the State of Arizona, and that this map or plat is a true and correct representation of the survey performed under my supervision during the month of May 2002; that the survey is correct and conforms to the best of my knowledge & belief; that the boundary monuments exist as shown and are sufficient to enable the lot corners to be located as shown at time of construction.

Registered Land Surveyor (923379) Date

# BROADWAY PLACE FINAL PLAT

A PORTION OF THE N.E. 1/4 OF SEC 27, T1N, R4E,  
AT THE G&SRB&M, MARICOPA COUNTY, AZ

## Conditions of Approval

- The Public Works Department shall approve all roadway, Alley, and Utility Easement Dedication, Driveway, Storm Water retention, and Street Drainage Plans, Water and Sewer construction drawings, refuse pickup, and Off-site Improvements.
- Off-site Improvements to bring roadways to current standards include:
  - Water lines
  - Sewer lines
  - Storm drains
  - Roadway Improvements including streetlights, curbs, gutter, bikepath, sidewalk, bus shelter, and related amenities.
- Fees to be paid with the development of this project include:
  - Water and Sewer development fees.
  - Water and/or Sewer participation charges.
  - Inspection and testing fees.

- All street dedications shall be made at (6) months of Council approval.
- Public Improvements must be initiated prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.
- All new and existing, as well as on-site and off-site, utility lines (other than those shown on the plat) shall be placed underground prior to the issuance of an occupancy permit for this development in accordance with the code of the City of Tempe- Section 25.120.
- No vehicles may be erected by future property lines within the project area and shall be removed from the City of Tempe.

- The final subdivision plat shall be recorded prior to the issuance of permits, and shall be maintained throughout this effort. No changes or modifications to the driving Engineering Department.
- The final subdivision plat shall be put into the proper engineering format with all notes and recorded, on or before January 13, 2004, with the Maricopa County Recorder's Office through the City of Tempe Development Services Department. Failure to record the plat within one year of Council approval shall make the plat null and void.

## Approvals

Approved by the City of Tempe, ARIZONA, 2003  
City Council of this day of

By: \_\_\_\_\_ DATE \_\_\_\_\_  
Attest: \_\_\_\_\_ DATE \_\_\_\_\_  
By: \_\_\_\_\_ DATE \_\_\_\_\_  
By: \_\_\_\_\_ DATE \_\_\_\_\_  
DEVELOPMENT SERVICES MANAGER

## Dedication

KNOW ALL MEN BY THESE PRESENTS, that EDGAR HERNANDEZ, an Arizona Limited Partnership, on behalf of the owners of Section 27, T1N, R4E, of the GLA and Salt River Base & Meridian, Maricopa County, Arizona, as shown and plotted herein and hereby publishes this plat as and for the plat of said BROADWAY PLACE and hereby dedicates that said plat sets forth the location and gives the dimensions of the lot, and segments thereof, known by the number or name given to each respectively on said plat, and that EVERGREEN PINES LIMITED PARTNERSHIP, an Arizona Limited Partnership, as owners hereby dedicates to the City of Tempe for use as such the right-of-way shown on the plat and the public utility above described premises. The owners of the subdivided land warrants that the title thereto is free, clear and unencumbered by any recorded or unrecorded instruments or claims of title which need not be recorded in order to be valid, including but not limited to claims of adverse possession and prescriptive right.

EDGAR HERNANDEZ, for and in capacity for EVERGREEN PINES LIMITED PARTNERSHIP, an Arizona Limited Partnership

By: EDGAR HERNANDEZ, member

## Acknowledgment

State of Arizona )  
County of Maricopa ) ss

Acknowledgment of EDGAR HERNANDEZ, for and in behalf of EVERGREEN PINES LIMITED PARTNERSHIP, an Arizona Limited Partnership, in the capacity indicated.

This instrument was acknowledged before me this day by the person whose name and it is subscribed in a representative capacity, then for the principal named.

Notary Public  
My Commission expires: \_\_\_\_\_

**ACE ENGINEERING, INC.**  
131 E. 1st Avenue, Suite 100  
Tempe, Arizona 85283-1517  
Phone: (480) 831-1517  
Fax: (480) 831-1517

BROADWAY PLACE

FINAL PLAT



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